

**Town of Underhill
Development Review Board Minutes
January 11, 2018**

Board Members Present:

Matt Chapek
Mark Green
Daniel Lee
Stacey Turkos

Cynthia Seybolt, Planning Commission Chair
Carolyn Gregson, Planning Commissioner
Nancy Bergersen, Planning Commissioner
David Glidden, Planning Commissioner

Staff/Municipal Representatives Present:

Andrew Strniste, Planning Director

Others/Public Present:

None

***Note:** The Planning Commission was scheduled to hold a joint meeting with the Development Review Board at 6:30 PM; however, a quorum for the Planning Commission was not present for the entirety of the meeting; therefore, the Board took the lead on conducting the meeting.*

6:30 PM – 01/18/2018 DRB Public Meeting

- DRB members and Planning Commission members convened at Town Hall at 6:25 PM.
- Board Member Turkos volunteered to serve as the acting chair and lead the meeting.
- [6:31] Acting Chair Turkos called the meeting to order.
- [6:32] Acting Chair Turkos asked for public comment. No public was in attendance, and therefore, no public comments were provided.
- [6:33] Planning Commission Chair Cynthia Seybolt advised the meeting's participants that the Commission wanted to meet with the Board and discuss the proposed zoning regulations to see if their concerns were met, or if there were any outstanding concerns. Reference to the list of 34 issues the Board identified in 2016 was mentioned.
- [6:34] Board Member Green expressed concerns about section 4.15.A.2.c.3.iii under detached accessory dwellings. While he believed that the end result was a good compromise, he was concerned that the exemption provided under this section for legal entities (such as businesses or trusts) completely negates the owner occupancy requirements by allowing for absentee ownership and rental of any property and its accessory dwelling. While the local agent regulation was targeted at trusts and other similar legal entities, the consensus agreed that this is a loop hole. Board Member Green advised he was concerned that this loophole could encourage commercial entities to purchase single family properties with the intent of creating two rental units in single family zoned areas. Planning Commission Chair C. Seybolt advised that the local agent regulation would help facilitate who was responsible should something go wrong. Board Member Chapek asked if there have been any problems with absentee landlords, and the group as a whole answered no.
- [6:43] Planning Commission Chair C. Seybolt advised that Commission felt that the Board knowing the proposed changes to the bylaws was important. Staff Member Strniste advised that he thought the Board was informed of the changes that were made, and had a good understanding of those changes. In response to Chair Seybolt's question about perceived development trends, Board Member Green informed the Commission that he and others that he communicates with in Town felt like there was a lot of development pressure, and that he and others want this development controlled so as not to change the rural and forested character of the town. Planning Commission Chair C. Seybolt also advised that she felt as if more people want to keep Underhill as it is. Acting Chair Turkos advised that a lot of potential homeowners get priced out of the Underhill housing market. Commissioner Gregson advised that a lot of the thru traffic in Underhill is from Jeffersonville and Cambridge. Planning Commission Chair C. Seybolt asked members of the Board what their vision of Underhill is. Acting Chair Turkos

advised that she would like to see the villages developed and to see more restaurants to help with the tax base. Chair C. Seybolt advised that the Commission (and Board) should think of other ways to encourage development for the Center. Board Member Green expressed that he believes it is important to focus density increases and any commercial development in the village centers to prevent sprawl, and that these regulation changes and the creation of an Underhill Center Village District are a good first step. . Board Member Chapek advised that development is largely constricted by water and wastewater unless there is a way to extend the water/wastewater infrastructure, and therefore, development will probably remain small scale.

- [6:49] A discussion ensued about water capacity, and what the Board should consider during the subdivision process. Staff Member Strniste and Board Members Chapek and Green discussed water/wastewater permits issued by the State of Vermont.
- [6:58] Staff Member Strniste provided an overview of his proposed plan for reconciling the Road Ordinance and the Land Use & Development Regulations. Specifically, a discussion ensued about how he proposes to reconcile the two documents. Staff Member Strniste then advised that the Commission look at how to condense the Land Use & Development Regulations and the Use Chart for Town Meeting Day 2019. A brief discussion ensued about the Albertini curb cut, as well as Phil Jacob's most recent subdivision review application.
- [7:15] A brief discussion ensued about home business and home industries. The Planning Commission recommended looking at whether an events facility/use should be added to the use table. Board Member Green recommended looking at home businesses, and the associated criteria, to determine if there are any controversial type uses that should not be permit as a home businesses. A discussion then ensued about conditional use review applications/hearings. Staff Member Strniste advised that the Commission should reexamine the purpose statements of each district. In response to Planning Commission Chair C. Seybolt's question, Board Member Lee advised that he moved to Underhill for recreational purposes, and would like to see small changes, like keeping the store or the addition of a small coffee shop or small restaurant in Underhill Center. Planning Commission Chair C. Seybolt asked the Board if they hear any comments relative to planning or zoning from residents that they could have those residents contact a member of the Planning Commission or the Zoning Administrator.
- [7:32] In a discussion regarding how to define or assess the "character" of a neighborhood as it relates to its use the regs, Board Member Green expressed that one important criteria is how the residents of that neighborhood define its character and wondered if there was anyway to work that into the regulations. Planning Commission Chair C. Seybolt acknowledged that revising the Land Use & Development Regulations is an ongoing process. A brief discussion ensued about a previous home business permit that was issued in the fall of 2017.
- [7:44] Board Member Chapek made a motion to adjourn, which was seconded by Board Member Lee. The motion was approved unanimously.

Submitted by:

Andrew Strniste, Planning Director & Zoning Administrator

These minutes of the 01/11/2017 meeting of the DRB were accepted
this 26 day of February, 2018.


Stacey Turkos, Development Review Board Acting Chair